
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 446 Session of
2025

INTRODUCED BY BOSCOLA AND FONTANA, MARCH 14, 2025

REFERRED TO STATE GOVERNMENT, MARCH 14, 2025

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, providing for powers reserved to the people.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby resolves as follows:

5 Section 1. The following amendment to the Constitution of
6 Pennsylvania is proposed in accordance with Article XI:

7 That Article III be amended by adding a section to read:

8 § 33. Powers reserved to the people.

9 (a) (1) The legislative power of this Commonwealth shall be
10 vested in the Senate and the House of Representatives, but the
11 people reserve to themselves the power to propose laws and
12 amendments to this Constitution at the polls, independently of
13 the General Assembly.

14 (2) The initiative is the power of the electors to propose
15 statutes and amendments to this Constitution.

16 (3) An initiative measure may be proposed by presenting to
17 the Secretary of the Commonwealth a petition that provides the
18 text of the proposed statute or amendment to this Constitution

1 and is certified by the Secretary of the Commonwealth to have
2 been signed by registered electors equal in number to 5% of the
3 votes for all candidates for Governor at the last gubernatorial
4 election in not less than 45 counties in this Commonwealth.

5 (4) The Secretary of the Commonwealth shall only certify a
6 measure on which all signatures on petitions are obtained and
7 affixed to the petitions for the measure during the same regular
8 session of the General Assembly and which is submitted by 5 p.m.
9 on the Friday after the second Thursday of February in the
10 second year of that session.

11 (5) An initiative measure embracing more than one subject
12 may not be submitted to the electors or have any effect.

13 (6) No measure that relates to religion, religious practices
14 and institutions; the appointment, qualification, tenure,
15 removal, recall or compensation of judges; the reversal of a
16 judicial decision; the powers, creation or abolition of courts;
17 the making of a specific appropriation of money from the
18 treasury; and the naming of a private corporation to perform a
19 function or to have a power or duty may be proposed by an
20 initiative petition.

21 (7) The Secretary of the Commonwealth shall submit the
22 measure at the next general, municipal, primary or special
23 Statewide election held at least 75 days after the measure
24 qualifies. The measure shall be referred to a vote of the
25 qualified electors and shall become law when approved by a
26 majority of the votes cast on the measure and upon proclamation
27 of the Governor.

28 (b) (1) The legislative power of this Commonwealth shall be
29 vested in the Senate and the House of Representatives, but the
30 people reserve to themselves the power, at their own option, to

1 reject statutes or parts of statutes passed by the General
2 Assembly.

3 (2) The referendum is the power of the electors to reject
4 statutes or parts of statutes except urgency statutes or
5 statutes calling elections.

6 (3) A referendum measure may be proposed by presenting to
7 the Secretary of the Commonwealth, within 90 days after the
8 enactment date of the statute, a petition certified to have been
9 signed by registered electors equal in number to 5% of the votes
10 for all candidates for Governor at the last gubernatorial
11 election in not less than 45 counties in this Commonwealth,
12 asking that the statute or part of the statute be submitted to
13 the electors.

14 (4) If a petition is certified to have been signed by
15 registered electors equal to 10% of the votes for all candidates
16 for Governor at the last gubernatorial election in not less than
17 45 counties in this Commonwealth, the effective date of the
18 enacted legislation is suspended until the next election at
19 which time the measure shall be submitted to the electors.

20 (5) The Secretary of the Commonwealth shall submit the
21 measure at the next general, municipal, primary or special
22 Statewide election held at least 75 days after the measure
23 qualifies. The measure shall be referred to a vote of the
24 qualified electors and shall become law when approved by a
25 majority of the votes cast on the measure and upon proclamation
26 of the Governor.

27 (c) (1) The General Assembly shall provide the manner in
28 which petitions shall be circulated, presented and certified and
29 require by law measures to ensure full disclosure of
30 disbursements made and receipts obtained by parties who have an

interest in initiative and referendum measures and who have
exceeded a statutory threshold for these disbursements and
receipts for any one initiative or referendum measure in each
election. The General Assembly shall also require by law
reasonable limits on contributions made to parties who have an
interest in the passage or defeat of an initiative or referendum
measure for each measure and in each election. The General
Assembly shall also require by law the full disclosure of any
disbursements made by a person or corporation from another state
to advocate the passage or defeat of an initiative or referendum
measure. The General Assembly shall, within 90 days following
approval of this section, enact the legislation outlined in this
paragraph.

(2) An initiative or referendum petition, in order to be
eligible for certification by the Secretary of the Commonwealth,
shall first be signed by 100 registered electors of the
Commonwealth, the originators, who shall pay an administrative
fee not exceeding the fee required by law for the filing of
nomination petitions by candidates for public office to be
filled by the electors of the State at large. If the Secretary
of the Commonwealth shall certify that the petition contains the
entire text of the measure, that the measure is not, either
affirmatively or negatively, substantially the same as any
measure which has been previously submitted to the electors
during the same session of the General Assembly and that the
measure contains only one subject which is not excluded from
consideration under this section, then the Secretary of the
Commonwealth shall provide blanks for the use of subsequent
signers and shall print at the top of each blank the names of
the first 10 originators and a fair, concise summary, as

determined by the Secretary of the Commonwealth, of the proposed measure as the summary will appear on the ballot.

(3) The Department of State shall, within 10 days of the certification of an initiative or referendum petition upon which the required number of signatures has been affixed, prepare an explanation or argument, or both, for and also an explanation or argument, or both, against the same. The Secretary of the Commonwealth shall then publish the summary and explanations and arguments, together with the entire text of the measure, in as many newspapers of general circulation as deemed by the Secretary of the Commonwealth to be sufficient to give notice throughout this Commonwealth at least 20 days before the election in which the measure is presented to the electors. This information shall also be made available to the general public in printed form.

(4) The Secretary of the Commonwealth shall certify no more than two initiatives or two referendum measures in an election. Each measure shall be limited to only one subject. If more than two measures are submitted to the Secretary of the Commonwealth, the two measures with the largest numbers of signatures shall be certified. If two or more measures are substantially similar in subject matter, whether or not they conflict, only the measure with the largest number of signatures shall be certified.

(5) No more than three initiative and three referendum measures may be certified by the Secretary of the Commonwealth in any two-year period.

(6) No measure may appear on the ballot in an election more often than once during a legislative session.

(7) The veto power of the Governor shall not extend to an initiative measure approved by a majority of the votes cast on

1 the measure or to a referendum measure decided by a majority of
2 the votes cast on the measure.

3 (8) The General Assembly may not repeal an initiative
4 measure or a referendum measure, approved by a majority of the
5 votes cast on the measure.

6 (9) The General Assembly may not amend an initiative measure
7 approved by a majority of the votes cast on the measure, or
8 amend a referendum measure decided by a majority of the votes
9 cast on the measure, unless the amending legislation furthers
10 the purposes of the measure and at least three-fourths of the
11 members of the Senate and the House of Representatives vote to
12 amend the measure.

13 (10) The General Assembly may not appropriate or divert
14 funds created or allocated to a specific purpose by an
15 initiative measure approved by a majority of the votes cast on
16 the measure, or by a referendum measure decided by a majority of
17 the votes cast on the measure, unless the appropriation or
18 diversion of funds furthers the purposes of the measure and at
19 least three-fourths of the members of the Senate and the House
20 of Representatives vote to appropriate or divert the funds.

21 Section 2. The following procedure applies to the proposed
22 constitutional amendment in this joint resolution:

23 (1) Upon the first passage by the General Assembly of
24 the amendment, the Secretary of the Commonwealth shall
25 proceed immediately to comply with the advertising
26 requirements of section 1 of Article XI of the Constitution
27 of Pennsylvania.

28 (2) Upon the second passage by the General Assembly of
29 the amendment, the Secretary of the Commonwealth shall
30 proceed immediately to comply with the advertising

1 requirements of section 1 of Article XI of the Constitution
2 of Pennsylvania. The Secretary of the Commonwealth shall
3 submit the amendment to the qualified electors of this
4 Commonwealth at the first general or municipal election which
5 meets the requirements of section 1 of Article XI of the
6 Constitution of Pennsylvania.